

28.01.21 In re: An application for anticipatory bail under Section 438 of the Code of Criminal
(S.R.) Procedure filed in connection with **Raghunathganj** Police Station **Case No.268 of**
Sl.193 **2020** dated **08.06.2020** under Sections 447/324/326/307/34 of the Indian Penal Code
Ct.28 and Sections 3/4 of the E.S. Act;

And

In re: Jaideb Mandal & Ors.

... petitioners.

Mr. Usaf Ali Dewan

Mr. Asif Dewan

... for the petitioners.

Mr. Arijit Ganguly

Mr. Avik Ghatak

...for the State.

The learned advocate appearing for the petitioners submits that the petitioners have been falsely implicated. There is no incriminating material against the petitioners. Out of eleven accused persons, seven co-accused persons have already been granted anticipatory bail. In view thereof, custodial detention of the petitioners is not necessary.

The learned advocate appearing for the State opposes the petitioners' payer for anticipatory bail.

Having heard the learned advocates, considering the materials in the case diary, the nature of allegations and the extent of complicity of the petitioners in the alleged offence and since co-accused persons similarly situated with the petitioners have already granted anticipatory bail, we are of the opinion that custodial detention of the petitioners is not warranted.

Accordingly, we direct that in the event of arrest, the petitioners, namely, **Jaideb Mandal, Ganesh Mandal, Gobinda Mandal and Narayan Mondal**, shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on a further condition that the petitioners shall meet the investigating officer once in a week on and from 8th February, 2021, until further orders.

The application for anticipatory bail being CRM No.380 of 2021, is, thus, disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)